

Forty-eighth Legislature
Second Regular Session

COMMITTEE ON EDUCATION (K-12)

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2278

(Reference to printed bill)

1 Page 1, line 16, after "WHO" strike remainder of line; line 17, strike "IN THE
2 STATE DEPARTMENT OF CORRECTIONS AND WHO"

3 Page 11, after line 32, insert:

4 "Sec. 7. Section 15-1372, Arizona Revised Statutes, is amended to
5 read:

9 A. The state department of corrections shall provide educational
10 services for pupils who are under the age of eighteen years and pupils with
11 disabilities ~~who are age twenty-one or younger~~ THROUGH THE END OF THE SCHOOL
12 YEAR IN WHICH THE PUPIL TURNS TWENTY-TWO YEARS OF AGE who are committed to
13 the state department of corrections. The department of education shall
14 provide technical assistance to the state department of corrections on
15 request and shall assist the state department of corrections in establishing
16 program and personnel standards.

17 B. The state education fund for correctional education is established.
18 Subject to legislative appropriation, fund monies shall be used for the
19 purposes of providing education to pupils as specified in subsection A of
20 this section. Notwithstanding section 35-173, monies appropriated to the
21 fund shall not be transferred to or used for any program not directly related
22 to the educational services required by this section. State equalization
23 assistance, other state and federal monies received from the department of
24 education for which the pupils in correctional education programs qualify and
25 monies appropriated for correctional education except monies appropriated
26 pursuant to subsection C of this section shall be deposited in the fund. The
27 state treasurer shall maintain separate accounts for fund monies if the
28 separate accounts are required by statute or federal law.

1 C. The state department of corrections may seek appropriations for
2 capital needs for land, buildings and improvements, including repairs and
3 maintenance, required to maintain the educational services required by this
4 section.

5 D. The state board of education shall apportion state aid and deposit
6 it, pursuant to sections 35-146 and 35-147, in the state education fund for
7 correctional education in an amount as determined by subsection E of this
8 section. The apportionments are as follows:

9 1. On July 1, one-third of the total amount to be apportioned during
10 the fiscal year.

11 2. On October 15, one-twelfth of the total amount to be apportioned
12 during the fiscal year.

13 3. On December 15, one-twelfth of the total amount to be apportioned
14 during the fiscal year.

15 4. On January 15, one-twelfth of the total amount to be apportioned
16 during the fiscal year.

17 5. On February 15, one-twelfth of the total amount to be apportioned
18 during the fiscal year.

19 6. On March 15, one-twelfth of the total amount to be apportioned
20 during the fiscal year.

21 7. On April 15, one-twelfth of the total amount to be apportioned
22 during the fiscal year.

23 8. On May 15, one-twelfth of the total amount to be apportioned during
24 the fiscal year.

25 9. On June 15, one-twelfth of the total amount to be apportioned
26 during the fiscal year.

27 E. The director of the state department of corrections shall calculate
28 a base support level as prescribed in section 15-943 and a capital outlay
29 revenue limit as prescribed in section 15-961 for the educational services
30 required by this section, except that:

31 1. Notwithstanding section 15-901, the student count shall be
32 determined using the following definitions:

1 (a) "Daily attendance" means days in which a pupil attends an
2 educational program for a minimum of one hundred eighty minutes not including
3 meal and recess periods. Attendance for ninety or more minutes but fewer
4 than one hundred eighty minutes shall be counted as one-half day's
5 attendance.

6 (b) "Fractional student" means a pupil enrolled in an educational
7 program of ninety or more minutes but fewer than one hundred eighty minutes
8 per day not including meal and recess periods. A fractional student shall be
9 counted as one-half of a full-time student.

10 (c) "Full-time student" means a pupil enrolled in an educational
11 program for a minimum of one hundred eighty minutes per day not including
12 meal and recess periods.

13 (d) "Pupil with a disability" has the same meaning as child with a
14 disability prescribed in section 15-761.

15 2. All pupils shall be counted as if they were enrolled in grades nine
16 through twelve.

17 3. The teacher experience index is 1.00.

18 4. The calculation for additional teacher compensation monies as
19 prescribed in section 15-952 is available.

20 5. Section 15-943, paragraph 1 does not apply.

21 6. The base support level and capital outlay amounts calculated
22 pursuant to this section shall be multiplied by 0.67.

23 7. The school year shall consist of a period of not less than two
24 hundred eight days.

25 F. The director of the state department of corrections may use
26 sections 15-855, 15-942 and 15-948 in making the calculations prescribed in
27 subsection E of this section. The director of the state department of
28 corrections and the department of education shall prescribe procedures for
29 calculating average daily attendance and average daily membership.

30 G. Equalization assistance for correctional education programs
31 provided for those pupils specified in subsection A of this section is
32 determined by adding the amount of the base support level and the capital

1 outlay revenue limit for the budget year calculated as prescribed in
2 subsection E of this section.

3 H. The director of the state department of corrections shall keep
4 records and provide information as the department of education requires to
5 determine the appropriate amount of equalization assistance. Equalization
6 assistance shall be used to provide educational services in this section.

7 I. The department of education and the state department of corrections
8 shall enter into an intergovernmental agreement that establishes the
9 necessary accountability between the two departments regarding the
10 administrative and funding requirements contained in subsections A and B of
11 this section. The agreement shall:

12 1. Provide for appropriate education to all committed youths as
13 required by state and federal law.

14 2. Provide financial information to meet requirements for equalization
15 assistance.

16 3. Provide for appropriate pupil intake and assessment procedures.

17 4. Require pupil performance assessment and the reporting of results."

18 Amend title to conform

and, as so amended, it do pass

MARK ANDERSON
Chairman

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1/30/08
H:jjb